

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID W. RIGGINS, a/k/a DAWUD
HALISI MALIK,

Plaintiff,

v.

DAN PACHOLKE, *et al.*,

Defendant.

No. C10-5147 FDB/KLS

ORDER TO SHOW CAUSE

This matter comes before the Court on Plaintiff's motion for leave to proceed *in forma pauperis*, filed by Plaintiff on March 4, 2010. Dkt. 1. On April 22, 2010, Plaintiff completed his application by providing a signed consent form. Dkt. 5. Upon review of Plaintiff's application, the court finds that it does not have information sufficient to determine Plaintiff's eligibility for *in forma pauperis* status.

On his application, Plaintiff indicated that he possesses \$1,800.00 (exclusive of his prison account funds). Dkt. 1, p. 2, ¶4. As Plaintiff appears to possess sufficient assets to pay the filing fee of \$350.00 in this case, it is unclear why he is asking the court to grant him *in forma pauperis* status.

1 The court may permit indigent litigants to proceed *in forma pauperis* upon completion of
2 a proper affidavit of indigency. See 28 U.S.C. § 1915(a). However, the court has broad discretion
3 in denying an application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d 598 (9th
4 Cir. 1963), cert. denied, 375 U.S. 845 (1963).

5 Accordingly, the Court orders the following:

6 (1) Plaintiff shall pay the filing fee of \$350.00 or provide the court with a sufficient
7 explanation for why he cannot pay the filing fee out of his funds, **on or before May 21, 2010**.
8 Failure to do so by **May 21, 2010** shall be deemed a failure to properly prosecute this matter and
9 the court will recommend dismissal of this matter.
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11 (2) The Clerk is directed to send a copy of this Order to Plaintiff.

12 DATED this 4th day of May, 2010.
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16 Karen L. Strombom
17 United States Magistrate Judge
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